

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

CR23-126 WHO

UNITED STATES OF AMERICA,

V.

VO NGUYEN,

DEFENDANT(S).

**FILED**

May 02 2023

Mark B. Busby  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

## INDICTMENT

18 U.S.C. § 111(a) and (b) – Assault on a Federal Employee with a Deadly or  
Dangerous Weapon

18 U.S.C. § 1114 – Attempted Murder of an Employee of the United States  
18 U.S.C. § 924(c)(1) – Using, Carrying, or Possessing a Firearm in Connection  
with a Crime of Violence

18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c) – Forfeiture Allegation

+

\_\_\_\_\_  
A true bill.

\_\_\_\_\_  
/s/ Foreperson of the Grand Jury

\_\_\_\_\_  
Foreman

\_\_\_\_\_  
Filed in open court this 2nd day of

\_\_\_\_\_  
May 2023

\_\_\_\_\_  
*Clemens*

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
*LBC*

\_\_\_\_\_  
Bail, \$ No Bail

**FILED**

May 02 2023

Mark B. Busby  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

ISMAIL J. RAMSEY (CABN 189820)  
United States Attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

VO NGUYEN,

Defendant.

CASE NO. CR23-126 WHO

VIOLATIONS:

18 U.S.C. § 111(a) and (b) – Assault on a Federal  
Employee with a Deadly or Dangerous Weapon  
18 U.S.C. § 1114 – Attempted Murder of an  
Employee of the United States  
18 U.S.C. § 924(c)(1) – Using, Carrying, or  
Possessing a Firearm in Connection with a Crime of  
Violence  
18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c) –  
Forfeiture Allegation

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. §§ 111(a) and (b) – Assault on a Federal Employee with a Deadly or  
Dangerous Weapon)

On or about April 1, 2023, in the Northern District of California, the defendant,

VO NGUYEN,

did intentionally and willfully forcibly assault, impede, intimidate, and interfere with D.C., an employee  
of the United States Postal Service, an agency within the executive branch of the United States  
Government, while D.C. was engaged in the performance of his official duties and on account of such

INDICTMENT

duties, and used a deadly or dangerous weapon, namely, a Sig Sauer 9mm pistol bearing serial number U843219, in the commission of such acts, all in violation of Title 18, United States Code, Sections 111(a) and (b).

COUNT TWO: (18 U.S.C. § 1114(a)(3) – Attempted Murder of an Employee of the United States)

On or about April 1, 2023, in the Northern District of California, the defendant,

VO NGUYEN,

did, with premeditation and malice aforethought, attempt to unlawfully kill D.C., an employee of the United States Postal Service, an agency within the executive branch of the United States Government, while D.C. was engaged in the performance of his official duties and on account of such duties, all in violation of Title 18, United States Code, Section 1114(a)(3).

COUNT THREE: (18 U.S.C. § 924(c)(1) – Using, Carrying, and Discharging a Firearm in Connection with a Crime of Violence)

On or about April 1, 2023, in the Northern District of California, the defendant,

VO NGUYEN,

did knowingly carry, use, brandish, and discharge a firearm, namely, a Sig Sauer 9mm pistol bearing serial number U843219, during and in relation to the crimes of violence charged in Counts One and Two of this Indictment, and did knowingly possess said firearm in furtherance of the crimes of violence charged in Counts One and Two of this Indictment, all in violation of Title 18, United States Code, Section 924(c)(1)(A).

FORFEITURE ALLEGATION: (18 U.S.C. §§ 924, 981, and 28 U.S.C. § 2461(c))

The allegations contained in this Indictment are re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d) and 981, and Title 28, United States Code, Section 2461(c).

Upon conviction of offenses set forth above, the defendant,

VO NGUYEN,

shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 924(d) and 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any firearm and ammunition involved in the commission of the offense or offenses and any property, real or personal, which constitutes or is

1 derived from proceeds traceable to the offense or offenses, including but not limited to the following  
2 property:

- 3 a. One semiautomatic Sig Sauer 9mm bearing serial number U843219; and
- 4 b. All ammunition seized along with any magazine, including a magazine containing  
5 eleven rounds of .40 caliber ammunition.

6 If any of the property described above, as a result of any act or omission of the defendant:

- 7 a. cannot be located upon exercise of due diligence;
- 8 b. has been transferred or sold to, or deposited with, a third party;
- 9 c. has been placed beyond the jurisdiction of the court;
- 10 d. has been substantially diminished in value; or
- 11 e. has been commingled with other property which cannot be divided without  
12 difficulty,

13 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,  
14 United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

15 All pursuant to Title 18, United States Code, Sections 924(d), 981, Title 28, United States Code,  
16 Section 2461(c), and Federal Rule of Criminal Procedure 32.2.

17  
18 DATED: May 2, 2023

A TRUE BILL.

19  
20 /s/ Foreperson

21 FOREPERSON

22 ISMAIL J. RAMSEY  
23 United States Attorney

24 /s/ Kelsey C. Davidson  
25 Kelsey C. Davidson  
26 Assistant United States Attorney  
27  
28

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**

- 18 U.S.C. § 111(a) and (b) – Assault on a Federal Employee with a Deadly or Dangerous Weapon ☐ Petty
- 18 U.S.C. § 1114 – Attempted Murder of an Employee of the United States ☐ Minor
- 18 U.S.C. § 924(c)(1) – Using, Carrying, or Possessing a Firearm in Connection with a Crime of Violence ☐ Misdemeanor
- ☒ Felony

**PENALTY:** § 111(a) and (b) and § 1114: maximum 20 years' imprisonment, \$250,000 fine, maximum 3 years' supervised release, § 924(c): minimum 10 years and maximum life imprisonment, \$250,000 fine, maximum 5 years' supervised release, For all 3: \$100 special assessment, forfeiture, potential deportation

Name of District Court, and/or Judge

 NORTHERN DISTRICT OF  
 SAN FRANCISCO D
**FILED**

May 02 2023

 Mark B. Busby  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO
**DEFENDANT - U.S**

Vo Nguyen

 DISTRICT COURT NUMBER  
 CR23-126 WHO
**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

USPS Inspector Albert Roriguez

☒ person is awaiting trial in another Federal or State Court, give name of court

SF Superior Court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

 Name and Office of Person  
 Furnishing Information on this form Ismail J. Ramsey

☒ U.S. Attorney ☐ Other U.S. Agency

 Name of Assistant U.S.  
 Attorney (if assigned) Kelsey C. Davidson
**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☒ Awaiting trial on other charges

 If answer to (6) is "Yes", show name of institution  
 SF Superior Court

 Has detainer ☐ Yes  
 been filed? ☐ No

 If "Yes"  
 give date  
 filed
**DATE OF ARREST**
 Month/Day/Year  
 April 1, 2022

Or... if Arresting Agency &amp; Warrant were not

**DATE TRANSFERRED TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☐ NO PROCESS\* ☒ WARRANT

Bail Amount: No bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments: